

Coast Guard, DOT

§ 165.23

§ 165.7 Notification.

(a) The establishment of these limited access areas and regulated navigation areas is considered rulemaking. The procedures used to notify persons of the establishment of these areas vary depending upon the circumstances and emergency conditions. Notification may be made by marine broadcasts, local notice to mariners, local news media, distribution in leaflet form, and on-scene oral notice, as well as publication in the FEDERAL REGISTER.

(b) Notification normally contains the physical boundaries of the area, the reasons for the rule, its estimated duration, and the method of obtaining authorization to enter the area, if applicable, and special navigational rules, if applicable.

(c) Notification of the termination of the rule is usually made in the same form as the notification of its establishment.

§ 165.8 Geographic coordinates.

Geographic coordinates expressed in terms of latitude or longitude, or both, are not intended for plotting on maps or charts whose referenced horizontal datum is the North American Datum of 1983 (NAD 83), unless such geographic coordinates are expressly labeled NAD 83. Geographic coordinates without the NAD 83 reference may be plotted on maps or charts referenced to NAD 83 only after application of the appropriate corrections that are published on the particular map or chart being used.

[CGD 86-082, 52 FR 33811, Sept. 8, 1987]

Subpart B—Regulated Navigation Areas

§ 165.10 Regulated navigation areas.

A regulated navigation area is a water area within a defined boundary for which regulations for vessels navigating within the area have been established under this part.

§ 165.11 Vessel operating requirements (regulations).

Each District Commander may control vessel traffic in an area which is determined to have hazardous conditions, by issuing regulations:

(a) Specifying times of vessel entry, movement, or departure to, from, within, or through ports, harbors, or other waters;

(b) Establishing vessel size, speed, draft limitations, and operating conditions; and

(c) Restricting vessel operation, in a hazardous area or under hazardous conditions, to vessels which have particular operating characteristics or capabilities which are considered necessary for safe operation under the circumstances.

[CGD 79-026, 48 FR 35408, Aug. 4, 1983]

§ 165.13 General regulations.

(a) The master of a vessel in a regulated navigation area shall operate the vessel in accordance with the regulations contained in Subpart F.

(b) No person may cause or authorize the operation of a vessel in a regulated navigation area contrary to the regulations in this part.

Subpart C—Safety Zones

§ 165.20 Safety zones.

A Safety Zone is a water area, shore area, or water and shore area to which, for safety or environmental purposes, access is limited to authorized persons, vehicles, or vessels. It may be stationary and described by fixed limits or it may be described as a zone around a vessel in motion.

§ 165.23 General regulations.

Unless otherwise provided in this part:

(a) No person may enter a safety zone unless authorized by the COTP or the District Commander;

(b) No person may bring or cause to be brought into a safety zone any vehicle, vessel, or object unless authorized by the COTP or the District Commander;

(c) No person may remain in a safety zone or allow any vehicle, vessel, or object to remain in a safety zone unless authorized by the COTP or the District Commander; and

(d) Each person in a safety zone who has notice of a lawful order or direction shall obey the order or direction of the COTP or District Commander

§ 165.30

issued to carry out the purposes of this subpart.

Subpart D—Security Zones

§ 165.30 Security zones.

(a) A security zone is an area of land, water, or land and water which is so designated by the Captain of the Port or District Commander for such time as is necessary to prevent damage or injury to any vessel or waterfront facility, to safeguard ports, harbors, territories, or waters of the United States or to secure the observance of the rights and obligations of the United States.

(b) The purpose of a security zone is to safeguard from destruction, loss, or injury from sabotage or other subversive acts, accidents, or other causes of a similar nature:

- (1) Vessels,
- (2) Harbors,
- (3) Ports, and
- (4) Waterfront facilities:

in the United States and all territory and water, continental or insular, that is subject to the jurisdiction of the United States.

§ 165.33 General regulations.

Unless otherwise provided in the special regulations in Subpart F of this part:

(a) No person or vessel may enter or remain in a security zone without the permission of the Captain of the Port;

(b) Each person and vessel in a security zone shall obey any direction or order of the Captain of the Port;

(c) The Captain of the Port may take possession and control of any vessel in the security zone;

(d) The Captain of the Port may remove any person, vessel, article, or thing from a security zone;

(e) No person may board, or take or place any article or thing on board, any vessel in a security zone without the permission of the Captain of the Port; and

(f) No person may take or place any article or thing upon any waterfront facility in a security zone without the permission of the Captain of the Port.

33 CFR Ch. I (7–1–01 Edition)

Subpart E—Restricted Waterfront Areas

§ 165.40 Restricted waterfront areas.

The Commandant, may direct the COTP to prevent access to waterfront facilities, and port and harbor areas, including vessels and harbor craft therein. This section may apply to persons who do not possess the credentials outlined in §125.09 of this chapter when certain shipping activities are conducted that are outlined in §125.15 of this chapter.

Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

FIRST COAST GUARD DISTRICT

§ 165.100 Regulated Navigation Area: Navigable waters within the First Coast Guard District.

(a) *Regulated navigation area.* All navigable waters of the United States, as that term is used in 33 CFR 2.05–25(a), within the geographic boundaries of the First Coast Guard District, as defined in 33 CFR 3.05–1(b).

(b) *Definitions.* Terms used in this section have the same meaning as those found in 33 CFR 157.03. Single-hull identifies any tank barge that is not a double-hull tank barge.

(c) *Applicability.* This section applies to primary towing vessels engaged in towing tank barges carrying petroleum oil in bulk as cargo in the regulated navigation area, or as authorized by the District Commander.

(d) *Regulations—(1) Positive control for barges.* (i) Except as provided in paragraph (d)(1)(iii) of this section, each single-hull tank barge, unless being towed by a primary towing vessel with twin-screw propulsion and with a separate system for power to each screw, must be accompanied by an escort or assist tug of sufficient capability to promptly push or tow the tank barge away from danger of grounding or collision in the event of—

- (A) A propulsion failure;
- (B) A parted towing line;
- (C) A loss of tow;
- (D) A fire;
- (E) Grounding;
- (F) A loss of steering; or